A

FULL and CIRCUMSTANTIAL

ACCOUNT

Of the Diſputes between GREAT BRITAIN and AMERICA.

CONTAINING,

I. A View of the ſeveral Acts of Parliament which the Americans object to.

II. The lengths they have gone in Rebellion, in attacking his Majeſty's Forces, Forts and Magazines.

III. The lenity of Government, in not puniſhing the Americans with rigour.

IV. Shewing how eaſy it would be for Britain to ruin their Trade, and deſtroy their principal Towns, Eſtates and Property, if they were not inclined to ſave the Colonies from Miſery.

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A Full and Circumſtantial Account, &c.

THE conſtitution of moſt of the Colonies was formed by accident, and not by forethought. It hardly could enter into the breaſts of the legiſlature, when they granted them charters for their ſecurity and protection in trade, that theſe colonies, entirely dependent on them, ſhould, in a future period, aim at independency, and endeavour to form an internal government among themſelves, to the prejudice of the ſtate to whom they owed their very being. The moſt of their charters were granted in an infant ſtate, and are calculated to encourage and protect them in a way moſt advantageous to themſelves and to the mother country; but, on account of their peculiar ſituation, the internal government among them was not regulated in ſuch a manner as to extend to a numerous people. Their modes of law were regulated by the Engliſh conſtitution. In moſt of them, the Juſtices of Peace and the Governor and Council are the only judges. The Juſtices ſit once a month, and from them an appeal may be made to the Governor and Council, who ſit twice a year and only twenty days at each time. Hence it is impoſſible for them to diſcuſs all the public buſineſs that comes before them, ſo that in Virginia alone appeals are before their courts more than ſix years back. This mode of juſtice did well enough in the infant ſtate of the ſociety; but by an increaſe of population, the diſputes about matters of right are become ſo numerous, that the legiſlature being ſo weak as it is, cannot overtake or redreſs them. This impotent ſtate of law has given room for the preſent diſorders: for the Juſtices dare not officiate though they were willing, and the mob are turned the governors inſtead of the governed. Thus their judges being ſet up by themſelves are the ſlaves of thoſe who appoint them, or of the mob, inſtead of being their maſters. Theſe are the very rocks on which the Grecian republics were ſhipwrecked: for, the ſpirits of free men are high, and therefore mutinous, and can be kept from

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diſorder only by the laws. Where the law or a regular form of government does not take place, there can be no ſecurity for the property, perſon or honour of any one; and every ſenſible perſon muſt be convinced that the factious among the Americans, by taking the law into their own hands, have thrown every thing into confuſion; and a perſon who would preſume to be an advocate for juſtice, or a regular form of government among them, would run the riſque of their law, that is to be ſtript naked and rolled into a tar barrel, and after his body was all beſmeared, to be in like manner rolled in a parcel of feathers, which ſticking to the tarry ointment, would make him all over like ſome monſtrous exotic bird.

One of their great quarrels with the Parliament of Great Britain, is the power of the Crown to appoint their judges with a fixed ſalary, which would render the courſe of juſtice more equal, give the law a proper force, and prevent theſe licentious diſorders. Yet their popular leaders would perſuade them, that the parent ſtate which firſt gave them charters, and expended a great deal of money to maintain them in theſe charters, are tyrannical in amending what they find deficient for regulating their government; becauſe forſooth they are now grown to maturity, and will no longer be directed by their indulgent parent, but act according to their own inclinations, though they ſhould thereby ruin themſelves and the parent ſtate.

The next great objection is to the power of the Parliament of Great Britain in laying reſtraints upon their trade. This right they cannot refuſe to Parliament, becauſe it is reſerved to them in the very boſom of every American charter, and yet theſe reſtraints more nearly affect Great Britain herſelf than they do the Americans. The landed man is prohibited from raiſing tobacco at home, and the merchant diſabled from importing it from abroad, in order to give the Americans a monoply, tho' both the landſman and merchant could have it at an eaſier price than from them. We give vaſt bounties on the importation of American flax, hemp, timber and naval ſtores; but give none to thoſe who raiſe them at home

excepting ſome ſmall bounties on flax. We are reſtrained by prohibitions, or duties equivalent to prohibitions from importing rice, indigo, and many other articles of American produce, in order to give them a monopoly; and upon their indigo we continue the bounty for exportation, which enables them, by the advantage of a double market, to raiſe the price upon us.——Our Weſt India iſlands are reſtrained from taking proviſions or timber from other countries, and yet never complained of reſtraints which they ſhared with the mother country. Our merchants are ſubject to duties on the importation of foreign commodities; but they draw them back, ſo that we pay a tax and the Americans receive the premium. In ſome inſtances we hurt both our revenues and trade to ſerve America. In the preſent reign the duties were taken off American whale-fins, by which thoſe duties were loſt to government, and the intereſt of the Britiſh whale-fiſhing ſacrificed to that of America. It was even propoſed to take the bounties off the Britiſh whale fiſhing, which produces 300,000l. a year and maintains 3000 ſeamen in order to ſecure the ſuperiority of the whale-fiſhing to America. The only thing that ſtopped the project was the diſorders which aroſe in America: for theſe led men naturally to reflect how imprudent it would be to confer favours which were repaid with ingratitude. Theſe monopolies, reſtraints, taxes and preferences have been yielded to by Great Britain as neceſſary to faſten the vaſt chain of commerce, which is thrown acroſs the Atlantic between America and England. In ſome of theſe, miſtakes may be, but Parliament has ever been ready to remedy them as ſoon as pointed out in a legal manner.

The only other difference is that of the power of the Crown to ſend troops among them without conſent of their aſſemblies. Certainly the Americans have as much intereſt to be defended as Britain has to defend them: and if they are willing to own the authority of the mother country, the number of troops may be reſtricted in ſuch a manner as not to be burdenſome to the colonies, excepting in time of war or actual rebellion.

The Americans complain that Parliament by an act

declaratory asserted "a right" to bind them by its regulations "in all cases whatever." Britain, on the other hand, complains that the Americans assert that the British Parliament has no right to bind them "in any case whatever." Under the objection to the supremacy of Great Britain, they deny the King the executive part of the constitution, the power of appointing the officers of revenue, law and government, whom he has always been accustomed to appoint: as also they refuse him the power of putting a negative upon the bills of their assemblies, and of sending forces for the protection of his subjects, with the usual powers of the Crown. The right of a supreme court of judicature in England to receive appeals from the other courts of justice as well in America as in Scotland, Ireland and the other parts of the British empire: and the legislative authority of the Parliament to regulate commerce for the mutual benefit of his Majesty's subjects in the British dominions, was never before questioned by the colonies, though several acts of Parliament actually subsist which expressly lay on taxes on the British colonies in America, particularly 25 Charles II. cap. 7. 7 and 8 William and Mary cap. 22. 9 Anne cap. 10. 1 George I. cap. 12. 6 George II. cap. 13. The Americans indeed clamoured against these taxes, but till this period they never dreamt of denying the right of Parliament to lay them on. No province excepting one (that of) can pretend to a right by charter to tax themselves, and the notion that they cannot be taxed because not represented, is disproved from obvious fact by the instances of many men who are taxed in this kingdom, and yet not represented. Every state extends its revenues as they extend their dominions, and every subject is bound to support the state which protects him. The small taxes imposed on America were to be applied within their own provinces, and their abilities to pay heavier taxes is unquestionable, seeing eight millions of British subjects pay ten millions of taxes 2 s a head, and three millions of Americans, where a labouring man gets three times the wages that one does in Britain, pay only 75,000 l. or sixpence on each person.

The laſt war was begun for the ſake of America, and Britain loaded with an immenſe public debt for its ſupport. Had the miniſtry then propoſed to make the Americans liable for the debt contracted in defending them, it might have prevented their arriving at ſuch opulence, but at that time no American would have queſtioned the juſtice of it. In the fourth year of his preſent Majeſty, Parliament laid a tax on foreign commodities imported into America, under the name of Port-Duties. No American did then complain of this as an impoſition of ſlavery, but paid the tax as their anceſtors had done other neceſſary ones.

Next year, the ſtamp act was paſſed from a view of eſtabliſhing a revenue in America, and giving ſecurity to commerce. The lawyers in America, whom this act chiefly affected, artfully raiſed clamours againſt it, and Parliament in the ſucceeding adminiſtration repealed it: but no American at even this period of oppoſition refuſed the power of Parliament to lay on that tax. The eaſy manner in which Britain paſſed from the ſtamp act, gave riſe to all the clamours that have ariſen in America ſince. And their lawyers, (gentlemen who love to fiſh in drumbly waters) have inſtilled a notion into their minds, that Britain has no power to impoſe external taxes upon them. As America had not hitherto refuſed the authority of Britain to lay taxes on them, in the ſeventh year of his preſent Majeſty an act was paſſed laying Port-duties on ſome other objects of commerce. Then America clamoured and objected to the power of Parliament to tax them. Then ſhe found out new pretenſions, that America was not bound by the navigation laws, and that ſhe was even independent of Parliament altogether. That act affecting Britiſh manufactures which had already paid taxes, Parliament again repealed part of it, and the colonies imagining they had now gained their much loved independence and triumphed over the authority of the Britiſh Parliament, exultingly manifeſted the tendency of their deſigns.

The aſſembly of New-York refuſed obedience to the ſtatute made for the quartering and proviſions of the King's

King's ſoldiers in America, and if they could thus repeal one act of Parliament, why not all the others affecting America? Government found it neceſſary to ſuſpend that aſſembly. The effect anſwered the deſign. The aſſembly recovered the juſt ſenſe of their duty, and were reſtored to their authority.

America had long complained of the diſtance of the London cuſtom houſe. Smuggling had gone beyond all bounds from the want of a board of cuſtoms. That eſtabliſhment being ſettled by Parliament, the fair trader rejoiced at it, but the ſmugglers took occaſion to repreſent it as a grievance. As long as it was not eſtabliſhed, Britain was blamed for neglecting her colonies, and when it took place, by the artifice of intereſted ſmugglers it was noted as a badge of ſlavery.

The congreſs complains of the ſtatutes regulating the admiralty courts, as extending the juriſdiction of theſe courts beyond their ancient limits, in depriving them of a trial by jury. If this be a hardſhip, Britain and Ireland labour under it without complaining, as revenue queſtions are tried by ſummary exciſe laws; and the anceſtors of the preſent Americans found it ſcarcely practicable to bring a fair trial upon a ſmuggling cargo before a jury of ſmugglers. So long as cuſtom houſe cauſes were tried by juries, the illicit trader was continually acquitted, to the ruin of the fair one. They next complain that there is a violent ſtretch of authority in the revival of the old law of Henry VIII. declaring that treaſons and miſpriſions of treaſon committed in America may be tried in England. There is no novelty in this. The Scots rebels were tried not in the kingdom in which their crime was committed, and many of them had not gone ſuch daring lengths as the Boſton rebels. The murderers of Mr Park, governor of the Leeward iſlands, were tried not in the Weſt Indies, but in London; and that on the very act which the congreſs would make their countrymen believe is newly framed to enſlave them. It is founded in juſtice and has been the univerſal practice of all nations ancient and modern, and it is neceſſary, that in crimes which affect its exiſtence, the arm of the ſtate

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ſhould be felt to the very extremity of her dominions. The rule of law is univerſal through every other part of the Britiſh dominions in Europe, Aſia and Africa. Where is the ſtatue, the charter, the act of aſſembly, or the practice which exempts America from it?

In order to relieve the Eaſt India Company, parliament paſſed an act to give a drawback on the Britiſh duties upon teas imported to America. By this ſtep, the fair trader of America had it in his power to beat the French, the Dutch, and Daniſh ſmuggler out of the field; and the inhabitant of America was furniſhed with teas from Britain at a cheaper rate than we: becauſe we paid a tax, and he drew it back. But the new doctrine of independence to the Britiſh ſenate had now taken place and the inhabitants of Boſton in a riotous and unprecedented manner deſtroyed the Eaſt India Company's property in open day. There was no obligation upon them to purchaſe it. Holland and Switzerland, as well as France and Spain, would have called this rebellion: Britain only called it inſurrection. Other nations would have made this a pretence for ſtripping their ſubjects: We only required the Boſtonians to do juſtice, and extended the puniſhment no longer than they ſhould do their duty in repaying the damage. The trade of Boſton was ſuſpended, and the cuſtom houſe removed from a place where it could be no longer ſafe where the commiſſioners had been obliged to take ſhelter in the king's ſhips: yet Britain left an open door for reconciliation; if the Boſtonians would not enter who has been to blame? 'Tis true, government had an act paſſed for the ſuppreſſion of tumults in Maſſachuſſets Bay, whereby any of their ſervants could claim a trial in England if they were queſtioned for doing their duty. This was a law abſolutely neceſſary. Was it juſt to expoſe the lives and honours of men to the mercy of juries, who declared that they looked upon them as enemies? Yet this law will die of itſelf if America will only adopt a regular arrangement of law, police and government, by which Britiſh ſubjects may be ſecured from the inſolence of the gentlemen of the tar and feather order.

The alteration of the charter of Maſſachuſſets Bay, giving

giving the nomination of the council to the king inſtead of leaving it with the houſe of repreſentatives, is another ſubject of complaint. King William, without act of parliament, and even without legal proceſs, reſumed the government of Pennſylvania and Maryland into his own hands, becauſe thoſe who poſſeſſed them had broke the conditions on which they were granted, by violating the law; though not in ſo great a degree as the people of Maſſachuſſets Bay. George I. did the ſame with regard to the government of S. Carolina. Q. Anne took the command of the Connecticut and Rhode Iſland militias from the governors of thoſe provinces, and gave the command of the one to the governor of N. York, and the other to the governor of Maſſachuſſets Bay; becauſe it was thought dangerous to commit the power of the ſword to the ſame hand which held that of government. The anceſtors of the Americans never queſtioned the power of parliament to regulate their charters, though theſe arbitrary ſteps by one branch of the legiſlature gave them room to complain.

The proviſionary law for quartering of the troops in America, without which our ſoldiers in times of diſorder and danger, would be no better than ſtatues is another object of American grievance. This law cannot affect the provinces when order is re eſtabliſhed among them. It is but a few years ſince a few regiments of regulars from France along with the militia of Canada made all America tremble. There was then no complaint of the harſhips of quartering Britiſh troops; but now that America is encreaſed in number and wealth, theſe forces which ſaved them from ruin, are become a grievous burden.

The ſtatute adjuſting the limits of the province of Quebec is another complaint. It does not affect the boundary of any other colony; but only gives the enjoyment of French laws to French men who declared that they could not live without them.

Thoſe men who find an intereſt or perhaps a diabolical pleaſure in ſowing ſedition convert every thing into a grievance. The act paſſed for the ſecurity of his Majeſty's

jesty's ships and dock yards after the dreadful fire at Portsmouth; because it made the crime punishable in Britain, has been construed by the faction in America as a contrivance formed on purpose to oppress them.

The House of Commons have adopted a resolution to levy no past and impose no future duties, providing the Americans will themselves contribute to the expence incurred for their own public service. This resolution entirely removes the danger of taxes in America, being converted into a revenue for Britain. It indeed reserves a power in parliament of imposing duties for the regulation of trade, which is absolutely necessary for the interest of trade; but, to prevent the abuse of this power, the produce of these duties is to go, not to the account of Britain, but to the exoneration of the provision made by the colony for its own service.

Our Patriots at home have encouraged America in her opposition, and prevented as much as they could any rational measures for closing the breach. The lawyers in America who have long kept the southern provinces in a state of slavery to themselves, and by their oppressions and extortion, make their gain from uncertainty and disorder, violently oppose every attempt to a regular administration of law, police and government, because it would diminish their own importance. These with the clamours of the Boston smugglers, keep the minds of the people in a continual ferment, and hinder them from listening to salutary terms of accommodation. They now entertain a notion that they are invincible, and consequently have used every art to provoke the commander in chief to draw the sword in a civil war, and upon the 19th April, in a most cowardly manner, attacked his Majesty's troops on their return to Boston, from hedges, walls, &c and murdered a number of them. They have also in a riotous manner seized the King's stores in different places of the Colonies, and engaged themselves in open rebellion.

On the other hand, government has shewn them every mark of lenity and tenderness; they have deferred chastising the guilty whom they had in their power; they

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did not puniſh the town of Boſton in the manner they might eaſily have done, but gave them time and opportunity to return to their duty---they have indeed ſuſpended their trade; but then it is only till they repay the damages they ſo wantonly brought upon the Eaſt India Company, and pay a due ſubmiſſion to the authority of the parliament, which their forefathers never once queſtioned.

It may be ſaid, theſe are the effects of our dread of the Americans: but notwithſtanding of all their boaſted numbers and diſciplined provincials, they are but in a poor ſituation to engage in a war with us. They have not a ſingle fortified town to ſecure the perſons of their people, nor intercept the advances of their enemies.---They have no ſtanding army to defend their land--- no navy to protect their coaſts, nor any fund upon which monied men would lend them a month's expence of an armament. Britain on the other hand is poſſeſſed of a veteran army, lately come from carrying conqueſts wherever it carried colours, and a veteran navy, lately come from ſweeping the ſeas of all enemies, in all quarters of the globe; the trifling revenue of America, only 75,000l. a year, can have but little weight againſt that of a nation which has a ſinking fund of between two and three millions a year, and which in the laſt war, was able to expend ſeventeen millions in one year. Their towns are built all to the edge of deep water, ſo as to be within the reach not only of cannon ſhot, but even of piſtol-ſhot. Their country houſes and eſtates lie generally on the banks of deep rivers.---Their ſlaves ready to rebel or run away from their maſters on the appearance of an enemy: (Witneſs the numbers, who on a late occaſion offered their ſervice to Lord Dunmore, governor of Virginia, to cut the throats of their maſters.) Their coaſts, by the large inlets of bays and rivers, are eaſily commanded; two twenty gun ſhips ſtationed at the Capes of Virginia, where the ſea is not more than three leagues over, and another in Albemarle Sound, with two or three armed ſhips to attend them, could lock up altogether the very beſt part of North Carolina, and the whole of Virginia and Maryland,

land, that is a coaſt of 600 miles. A war with Britain would expoſe them to the moſt ſhocking miſeries ever exhibited. For in a few months, every town in that beautiful country above 2000 miles in extent, might be reduced to aſhes by our ſhips of war, and the country houſes and eſtates ravaged by the rapid progreſs of the ſhips barges; the ſlaves turned maſters or joined the enemy; their trade deſtroyed, their veſſels and ſeamen priſoners in the the ports of that enemy whoſe rage they had provoked. Suppoſe they ſhould procure foreign aid, will France or Spain make a Proteſtant cauſe independent, or eſtabliſh an empire of liberty equal to the glorious and envied liberty of Great Britain and her dominions? As to their commercial ſcheme of oppoſition, it is ſtill more fooliſh: for if Great Britain ſhould make an act prohibiting the importation of Oſnaburghs, ſalt and molaſſes into America, it would effectually lay their provinces deſolate, without the aid of armies or navies. Whereas, whilſt mankind have wants to ſupply, Great Britain will not want trade. The channels of trade may indeed be changed, but they will not be dried up. It were then an eaſy matter for Britain to ruin her Colonies; but the horrors of a civil war naturally makes a generous-hearted Briton ſhrink at the thought, and diſdain to make uſe of that conſcious ſuperiority over his friends and fellow-ſubjects which his ſituation may give.

All good men and true lovers of their country, on either ſide the Atlantic will be led to wiſh for the intereſt of humanity, that theſe unhappy differences were reconciled, by a laſting peace and harmony between the two Countries; that as we are profeſſors of the ſame holy faith, natural ſubjects of the ſame King, united by the ties of religion, laws and friendſhip, that the voice of faction and diſcord ſhould no more be heard among us; but that each country ſhould contribute its part to form one great, happy and laſting empire, having true liberty, under the regular adminiſtration of law and juſtice, for its baſis.

FINIS.